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PATENT APPLICATION

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Whitmarsh et al.

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Application No.: 09/829,049

Examiner: Bonshock, Dennis G.

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Group Art Unit: 2173

Title: Extensible User Interface

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TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on 05/03/2006.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 09/829,049)
Conf. No.	: 8298)
Applicant	: Whitmarsh et al.)
Filed	: 04/10/2001)
Title	: Extensible User Interface)
)
TC / Art Unit	: 2173)
Examiner	: Bonshock, Dennis G.)
)
Docket No.	: 10005102-1)
Customer No.	: 022879)

Commissioner for Patents
P.O. Box 1450
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APPELLANTS' REPLY BRIEF

Sir:

This Reply Brief is presented in opposition to the Examiner's Answer mailed 05/03/2006. Appellants are appealing from the Final Rejection of claims 31-53.

Please refer to Appellants' Appeal Brief for additional arguments and for further detail omitted herein, as this Reply Brief is particularly directed to the Examiner's Answer.

I. ARGUMENT

- A. **Claims 31-34, 36-39, 41-43, 45, 47-48, and 51 were improperly rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No 5,832,298 by Sanchez et al. ("Sanchez"); claim 35 was improperly rejected under 35 U.S.C.**

§103(a) as being unpatentable over Sanchez in view of UK patent application publication GB 2,347,766 by Wilson (“Wilson”); claim 40 was improperly rejected under 35 U.S.C. §103(a) as being unpatentable over Sanchez in view of U.S. Patent No. 6,232,968 by Alimpich et al. (“Alimpich”); and claim 46 was improperly rejected under 35 U.S.C. §103(a) as being unpatentable over Sanchez .

As to a rejection under 102(b), “[a]nticipation requires that all of the elements and limitations of the claim are found within a single prior art reference.” *Scripps Clinic & Research Found. v. Genentech Inc.*, 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991). “[F]unctional language is, of course, an additional limitation in the claim. *K-2 Corp. v. Salomon S.A.*, 52 USPQ 2d 1001, 1004 (Fed. Cir. 1999) (citing *Wright Med. Tech., Inc. v. Osteonics Corp.*, 43 USPQ 2d 1837, 1840 (Fed. Cir. 1997)). The standard for lack of novelty, that is for “anticipation,” is one of strict identity. *Schroeder v. Owens-Corning Fiberglass Corp.*, 514 F.2d 901, 185 U.S.P.Q. 723 (9th Cir. 1975); and *Cool-Fin Elecs. Corp. v. International Elec. Research Corp.*, 491 F.2d 660, 180 U.S.P.Q. 481 (9th Cir. 1974). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Appellants respectfully contend that independent claim 31, and its dependent claims 32-43, 45-48, and 51, were improperly rejected because the Sanchez reference does not disclose all the elements and limitations of the claims.

Independent claim 31 recites:

“31. A network-based user interface system, comprising:
an extensible resource interface located at a first network node and adapted for coupling to a plurality of client devices each located at one of a plurality of second network nodes different from the first network node, the extensible resource interface including
a register configured to collect resource information from one or more resources located at other than the first network node;
an options module configured to provide resource options based on the

resource information;

a user profiler configured to construct profiles for at least some of the client devices, each profile indicative of client-specific resource options; and

a user interface builder configured to construct from the resource options and a particular one of the profiles a customized user interface for display by the corresponding one of the client devices and further configured to provide the customized user interface to the corresponding one of the client devices over the network, the customized user interface indicative of the corresponding client-specific resource options.” (emphasis added)

1. The Examiner’s Answer provides a different rationale from the Final Rejection as to how the Sanchez reference anticipates independent claim 31.

In response to Appellants’ Appeal Brief, the Examiner has changed the rationale for the rejection from what was stated in the Final Rejection. The Examiner states in the Examiner’s Answer that:

“The server collects status information of the peripheral device(s) (resources) (either device [16] or [15] of figure 1) (see column 2, lines 38-41). Appropriate options being provided to a user based on capabilities of the peripheral device(s) (see column 2, lines 42-56); and based on user selected options from the workstation (see column 2, lines 42-56). Providing (by the server) for display on the client device the graphical image based on options of the peripheral device(s) (resource) and options of the client device. This is provided by the server, because the server (in an embodiment of Sanchez) contains ‘some or all of the applications’, applications including the ‘printer/facsimile driver and local device drivers’ (see column 5, lines 29-38), where it is the ‘digital copier driver (that) includes a method for generating and displaying an adaptive graphical user interface’ (see column 2, lines 31-33).” (Examiner’s Answer, p.14)

Thus, the essence of the Examiner’s argument now appears to be that the limitation of “an extensible interface located at a first network node” reads upon the networked file server (disclosed in the Sanchez reference but not illustrated in any of the drawings), and the limitation of “a plurality of client devices each located at one of a plurality of second network nodes different from the first network node” reads upon client devices 11,12. Appellants respectfully disagree, and believe that the Examiner’s characterization of the teachings of Sanchez with regard to the networked file server is incorrect.

2. The Examiner incorrectly characterizes the disclosure of the Sanchez reference with regard to the networked file server in that the networked file server merely stores the drivers of the Sanchez reference, but does not execute the drivers.

The teachings of the Sanchez reference regarding the networked file server is brief.

The complete teaching of the reference in this regard is as follows:

“Computing equipment 11 may include a mass storage device such as a computer disk drive for storing data files which can include document text files and image files, in compressed or uncompressed format, and for storing application program files which can include Windows applications, DOS, Novell Netware®, printer/facsimile driver, and local device drivers. Alternatively, some or all of these applications can be stored on a networked file server (not shown) accessible to computing equipment 11 via local area network 10.” (col. 5, lines 29-38; emphasis added)

A file server is defined as:

“[a] file-storage device on a local area network that is accessible to all users on the network. Unlike a disk server, which appears to the user as a remote disk drive, a file server is a sophisticated device that not only stores files but manages them and maintains order as network users request files and make changes to them. To deal with the tasks of handling multiple – sometimes simultaneous – requests for files, a file server contains a processor and controlling software as well as a disk drive for storage. On local area networks, a file server is often a computer with a large hard disk that is dedicated only to the task of managing shared files.” (*Microsoft Computer Dictionary, Fourth Edition. Microsoft Press, Redmond, Washington, 1999; emphasis added*).

It is clear that the teachings of the Sanchez reference with regard to the networked file server are consistent with this definition of file server. The Sanchez reference teaches that a program file, such as the printer/facsimile driver or other device drivers, may be stored on the networked file server, as an alternative to storing the driver files on a disk drive included in computing equipment 11. It is therefore also clear from these teachings of the Sanchez reference that the file corresponding to a desired driver is provided by the networked file server to computing equipment 11, and that this driver file is executed on computing equipment 11. There is no disclosure in the Sanchez reference that the driver files could somehow be executed on the networked file server, instead of on computing equipment 11. In addition, there is no disclosure in the Sanchez reference that the networked file server provides any function other than serving files to other computing equipment on the network.

3. The limitation of “an extensible resource interface located at a first network node” recited in claim 31 does not read upon a driver file stored on the networked file server in that any adaptive graphical user interface generated and displayed by the driver file comes into existence only when the driver file is executed, and there is no teaching in the Sanchez reference that the driver file is executed by the networked file server.

The Examiner argues that “it is the ‘digital copier driver (that) includes a method for generating and displaying an adaptive graphical user interface’ (see column 2, lines 31-33)” (Examiner’s Answer, p.14).

Even assuming arguendo that this is correct, however, it does not necessarily follow that the networked file server generates and displays this interface. When the driver file is stored on the networked file server, it is merely a pattern of bits of digital data; it performs no function. The driver file is capable of performing its intended function only within the operating environment for which it is designed, and when executed by the processor for which the bits represent valid instructions. It is common, for example, for a networked file server to run under one operating system (e.g. Linux) written for a processor of a first type, and for the computing equipment for which the driver file is designed to run under a different operating system (e.g. Microsoft Windows) written for a processor of a second, different type. In such a system, it is difficult to predict exactly what system behavior might occur were the first processor to somehow execute the driver file on the networked file server, but it is a certainty that it would not generating and displaying the desired adaptive graphical user interface.

It is only when the copier driver file is downloaded to, and executed by, computing equipment 11 that the adaptive graphical user interface comes into existence. Therefore, the graphical user interface (if it is assumed arguendo to be equivalent to the extensible resource interface of claim 31) is located at the network node of the computing equipment, not the network node of the networked file server.

4. The Sanchez reference does not disclose all the elements and limitations of Appellants' independent claim 31 in that an extensible resource interface at a first network node that collects resource information from a resource located at other than the first network node, and that provides a customized user interface to a client device at a second network node, is absent from the reference.

Claim 31 recites a network topology in which an extensible resource interface is located at a first network node, a plurality of client devices are each located at one of a plurality of second network nodes different from the first network node, and resources from which the extensible resource interface (via its register) collects resource information are located at other than the first network node. Such a topology is illustrated in Fig. 2 of Appellants' specification, reproduced below, for extensible resource interface 150, client devices 130, and resources 140,133,134.

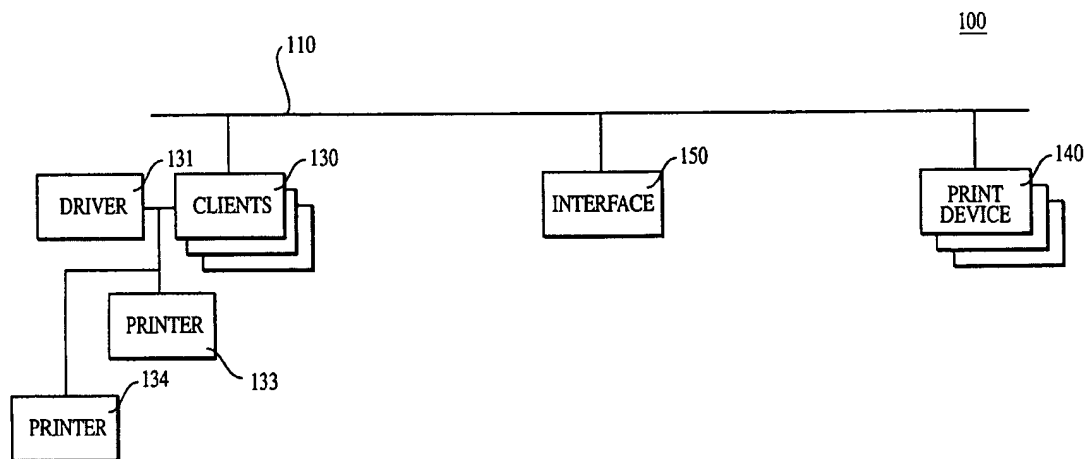


FIG. 2

Conversely, the Sanchez reference, whose Fig. 1 is reproduced below, has a

significantly different network topology.

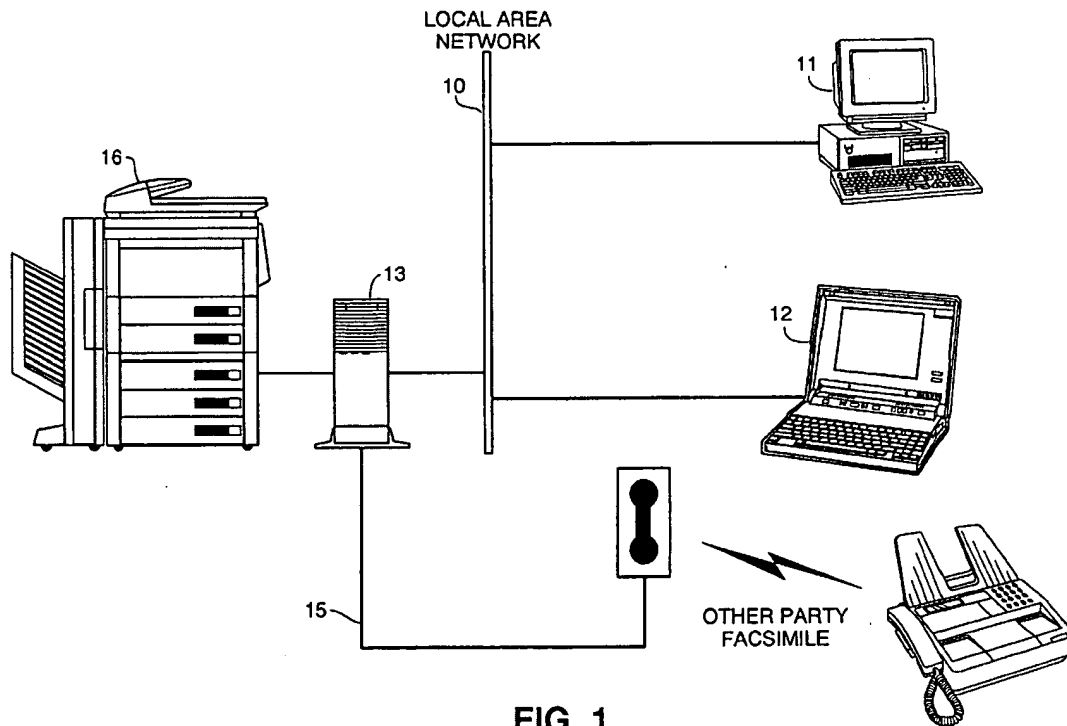


FIG. 1

It is noted that, in the Sanchez reference, the devices directly connected to the local area network 10 are computing equipment 11, laptop computer 12, multi-device controller (MDC) 13, and the networked file server (not illustrated). The MDC 13 is also connected to digital copier 16. Digital copier 16 is not connected directly to the network 10, but rather is connected to a core board 41 (Fig. 3) of MDC 13 via an interface bus of digital copier 16. A network interface board 45 (Fig. 3) of MDC 13 permits core board 41 and MDC 13 to access the local area network 10 (Sanchez, col. 6, lines 19-33). To whatever extent copier 16 may be associated with a network node, it is associated with the same network node as that of MDC 13.

Computing equipment 11 and laptop computer 12 are analogous to client devices. Copier 16 is analogous to a resource. Based on the Examiner's understanding that the

adaptive graphical user interface generated and displayed by the copier driver is equivalent to the extensible resource interface of claim 31, and based on Appellants' reasoning as discussed heretofore that the adaptive graphical user interface is located at the network node of computing equipment 11 which executes the copier driver, claim 31 is not anticipated by the Sanchez reference in that the extensible resource interface (i.e. the adaptive graphical user interface) is located at the same network node as a client device (i.e. computing equipment 11 or laptop computer 12).

In addition, claim 31 recites the limitation of "a register configured to collect resource information from one or more resources located at other than the first network node". The Examiner states that "the server collects status information of the peripheral device(s) (resources) (either device [16] or [15]) (see column 2, lines 38-41)" (Examiner's Answer, p.15). The Examiner further contends that "the 'register' is located at the server (where the interface is created) and provided to the workstation (either device [11] or [12]) located at a different network node" (Examiner's Answer, p.16). Appellants respectfully disagree. For the networked file server to collect status information or create the interface would require that it execute the copier driver. As discussed heretofore, there is no disclosure in the Sanchez reference that the networked file server provides any function other than storing and serving files.

Furthermore, claim 31 recites the limitation of "a user interface builder ... configured to provide the customized user interface to the corresponding one of the client devices over the network". The Examiner states that, in the Sanchez reference, the server provides for display on the client device

"the graphical image based on options of the peripheral device(s) (resource) and options of the client device. This is provided by the server, because the server (in an embodiment of Sanchez) contains 'some or all of the applications', applications including the 'printer/facsimile driver and local device drivers' (see column 5, lines 29-38), where it is the 'digital copier driver (that) includes a method for generating and displaying an adaptive graphical user interface' (see column 2, lines 31-33)" (Examiner's Answer, p.15).

Appellants respectfully disagree. As discussed heretofore, there is no disclosure in the Sanchez reference that the networked file server performs any function other than storing and serving files.

It is further noted that there is no teaching in the Sanchez reference that computing equipment 11 and laptop computer 12 interoperate in any way to implement the Sanchez method. Rather, the purpose of illustrating two computers apparently was to show that the invention could be used with computers of different size, capability, and portability. “The present invention can be embodied in any one of computers 11 or 12. However, for the purpose of simplicity, the present invention will be described with respect to computing equipment 11” (Sanchez, col. 5, lines 18-21).

With regard to an anticipation rejection, it is reemphasized that the identical invention must be shown in as complete detail as is contained in the claim (*Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), and that the elements must be arranged as required by the claim (*In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)). At least for the reasons presented above, and for the other reasons presented in Appellants’ previously-filed Appeal Brief, the Sanchez reference does not disclose all the elements and limitations recited in Appellants’ claim 31, or in its dependent claims 32-43, 45-48, and 51, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper and should be withdrawn.

5. The Sanchez reference does not disclose all the elements and limitations of Appellants’ independent claim 31 in that an extensible resource interface at a first network node that constructs a customized user interface for display by a client device at a second network node, and that provides the customized user interface to the client device over the network, is absent from the reference.

Claim 31 recites that the user interface builder of the extensible resource interface located at the first network node is “configured to construct ... a customized user interface for display by the corresponding one of the client devices and further configured to provide the customized user interface to the corresponding one of the client devices” located at a second network node that is different from the first network node.

The Examiner contends that “the ‘register’ is located at the server (where the interface is created) and provided to the workstation (either device [11] or [12]) located at a different network node” (Examiner’s Answer, p.16). Appellants respectfully disagree. For the networked file server to collect status information or create the interface would require that it execute the copier driver. As discussed heretofore, there is no disclosure in the Sanchez reference that the networked file server provides any function other than storing and serving files.

Furthermore, according to the Sanchez reference, the user interface is constructed (i.e. created and built) by the client device, not by the extensible resource interface (i.e. the network peripheral device) which is located elsewhere on the network. The customized user interface itself is not provided to the client device; rather, instructions how to create and build it are what is provided. The Sanchez reference discusses in greater detail the operation of the copier and printer/facsimile drivers, as follows:

“According to the present invention, printer/facsimile driver 40 includes a software program, copier user interface dynamic link library (copier UIDLL) 65 shown in FIG. 4, which includes process steps to interrogate digital copier 16 for its current configuration, status and capabilities. Copier UIDLL 65 also includes libraries of copier configuration graphical images and commands, copier capabilities graphical images and commands, and libraries of user-selectable job options corresponding to configuration and capabilities of digital copier 16. Based on these libraries, copier UIDLL 65 generates and displays the current configuration and status of digital copier 16 in a graphical user interface display (to be discussed below in greater detail). The graphical user interface display not only contains a graphical representation of digital copier 16 in its current configuration, but also displays the appropriate job options which can be selected based on the current configuration and current capabilities of digital copier 16.

Thus, upon instruction from the user at the user's work station, such as computing equipment 11, copier UIDLL 65 sends a request to dynamic configuration dynamic link library (dynamic config DLL) 56 to interrogate digital copier 16 to obtain a current configuration of digital copier 16 and to obtain information relating to the capabilities of digital copier 16 at that specific time and to return that information to copier UIDLL 65. In this regard, dynamic config DLL 56 returns information or data regarding current configuration and capabilities of digital copier 16, but it is also to be understood that dynamic config DLL 56 could also return instructions to copier UIDLL 65 as to how copier UIDLL 65 should create, build and display the graphical user interface,

i.e., vector graphic commands, fill patterns, geometric positional commands, bitmap identifications of bitmaps to be used, etc. When the user needs to access digital copier 16, such as when printing or scanning, copier UIDLL 65 displays to the user a graphical user interface which includes a representative graphical image of digital copier 16 with the graphical image indicating the current configuration at the specific moment the interrogation was answered by digital copier 16.” (Sanchez, col. 7, line 45 – col. 8, line.17; emphasis added).”

The above-cited section from the Sanchez reference clearly discloses that, unlike the limitations of Appellants’ claim 31, the customized user interface of the Sanchez reference that is displayed on computing equipment 11 is also built on computing equipment 11. Copier UIDLL 65 and dynamic config DLL 56 are modules of printer/fax driver 40, which is stored on disk 31 of computer equipment 11 and which is executed on computing equipment 11 (Figs. 2,4). It is copier UIDLL 65 and/or dynamic config DLL 56, executing on computing equipment 11, that create, build, and display the graphical user interface on computing equipment 11.

It is further noted that an advantage of the present invention is that, when a new network resource or resource capability, such as a new print device 140 or a new printing mode for a print device 140, becomes available, only the extensible resource interface 150 need be updated in order for all client devices 130 to make use of the resource or capability. This occurs because the extensible resource interface 150, not the client device 130, constructs the customized user interface. However, because the copier UI DLL 65 of the Sanchez reference creates and builds the user interface in addition to displaying it, the copier UI DLL 65 would have to be updated on each computer 11,12 that wishes to make use of the resource or capability.

At least for this additional reason, the Sanchez reference does not disclose all the elements and limitations recited in Appellants’ claim 31, or in its dependent claims 32-43, 45-48, and 51, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper and should be withdrawn.

B. Claim 44 was improperly rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No 5,832,298 by Sanchez et al. (“Sanchez”).

Appellants respectfully contend that claim 44 was improperly rejected because the Sanchez reference does not disclose all the elements and limitations of the claims.

1. The Sanchez reference does not disclose all the elements and limitations of Appellants' dependent claim 44 in that an extensible resource interface at a first network node that collects resource information from a printer located at other than the first network node, and that provides a customized user interface to a client device at a second network node, is absent from the reference.

Claim 44 recites:

"44. The system of claim 31, wherein the resources are printers." (emphasis added)

The term "resource" is broadly defined in independent claim 31. Dependent claim 44 limits the definition of resources to printers. While the Sanchez reference discloses a printer (Sanchez, col. 1, lines 31-37), it does not disclose, as has been argued heretofore with regard to claim 31, that an extensible resource interface located at a first network node collects resource information from one or more printers located at other than the first network node, and provides a customized user interface for the printer to one of a plurality of client devices each located at one of plurality of second network nodes different from the first network node.

In the Examiner's Answer, the Examiner contends that a peripheral driver generates and displays a graphical user interface on a user workstation, where the peripheral driver is located on a server. "The peripheral driver receives current configuration and capabilities information from the peripheral device(s) and also entered menu options from the workstation (see column 2, lines 37-56). This server-generated interface is then provided to one of the workstations for display (see column 5, lines 29-44)" (Examiner's Answer, p.17; emphasis added).

For similar reasons as explained heretofore with reference to claim 31, Appellants respectfully disagree. Until the peripheral driver is executed by a processor at one of the nodes of the network, it performs none of the recited functions. There is no teaching that the

peripheral driver is ever executed on the networked file server of the Sanchez reference, as the Examiner contends. The Sanchez reference teaches nothing more than the networked file server provides the bits of the peripheral driver file to the computing equipment 11. It is the computing equipment 11 on which the peripheral driver is executed, in the manner as explained in the Sanchez reference with regard to Fig. 4.

Accordingly, the Sanchez reference does not disclose all the elements and limitations recited in Appellants' dependent claim 44 and its base claim 31, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper at least for this reason and should be withdrawn.

C. Claim 49 was improperly rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No 5,832,298 by Sanchez et al. ("Sanchez").

Appellants respectfully contend that claim 49 was improperly rejected because the Sanchez reference does not disclose all the elements and limitations of the claims.

1. The Sanchez reference does not disclose all the elements and limitations of Appellants' claim 49 in that an extensible resource interface at a first network node that collects resource information from a resource located at a third network node, and that provides a customized user interface to a client device at a second network node, is absent from the reference.

Claim 49 recites:

"49. The system of claim 31, wherein the other network node is a third network node different from the first network node and the plurality of second network nodes." (emphasis added)

The network topology of claim 31 recites that the one or more resources are located at other than the first network node. Claim 49 further limits the location of the resources by reciting that the other network node is a third network node that is different from the first network node at which the extensible resource interface is located, and different from the plurality of second network nodes at which the client devices are located.

In the Examiner's Answer, the Examiner contends that the system of the Sanchez reference has three distinct nodes, one of which is the networked file server node (Examiner's Answer, p.17). However, for similar reasons as explained heretofore with reference to claim 31, Appellants respectfully contend that the network topology of the Sanchez reference does not disclose the claimed limitations that the extensible resource interface, the client devices, and the resource are all located at different nodes on the network in that none of these elements are located at the networked file server.

Accordingly, the Sanchez reference does not disclose all the elements and limitations recited in Appellants' dependent claim 49 and its base claim 31, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper at least for this reason and should be withdrawn.

D. Claim 50 was improperly rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No 5,832,298 by Sanchez et al. ("Sanchez").

Appellants respectfully contend that claim 50 was improperly rejected because the Sanchez reference does not disclose all the elements and limitations of the claims.

1. The Sanchez reference does not disclose all the elements and limitations of Appellants' claim 50 in that an extensible resource interface at a first network node that collects resource information from a resource located at a second network node, and that provides a customized user interface to a client device at the second network node, is absent from the reference.

Claim 50 recites:

"50. The system of claim 31, wherein the other network node is one of the plurality of second network nodes." (emphasis added)

The network topology of claim 31 recites that the one or more resources are located at other than the first network node. Claim 50 further limits the location of the resources by reciting that the other network node one of the plurality of second network nodes at which the

client devices are located.

In the Examiner's Answer, the Examiner contends that the three node system discussed with reference to claim 49 anticipates the invention as claimed (Examiner's Answer, p.18). In response, Appellants respectfully contend that the Sanchez reference does not teach the placement of the system elements (the extensible resource interface, client devices, and resources) at the specific nodes recited in claim 50 and its base claim 31. More specifically, the Sanchez reference does not teach that an extensible resource interface is located at a first network node, that client devices are located at second network nodes different from the first network node, and that a resource is located at one of the plurality of second network nodes. For similar reasons as explained with reference to claim 31, there is no teaching in the Sanchez reference that the extensible resource interface is located at the networked file server. Consequently, the network topology of the Sanchez reference does not disclose the claimed limitation that the resource and one of the client devices are located at the same network node.

Accordingly, the Sanchez reference does not disclose all the elements and limitations recited in Appellants' dependent claim 50 and its base claim 31, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper at least for this reason and should be withdrawn.

E. Claims 52-53 were improperly rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No 5,832,298 by Sanchez et al. ("Sanchez").

Appellants respectfully contend that independent claim 52, and its dependent claim 53, were improperly rejected because the Sanchez reference does not disclose all the elements and limitations of the claims.

1. The Sanchez reference does not disclose all the elements and limitations of Appellants' independent claim 31 in that an extensible resource interface at a first network node that collects resource information from a

resource located at other than the first network node, and that provides a customized user interface to a client device at a second network node, is absent from the reference.

Claim 52 recites:

“52. A network-based user interface system, comprising:
an extensible resource interface located at a first network node and adapted for coupling to a plurality of client devices each located at one of a plurality of second network nodes different from the first network node, the extensible resource interface including means for collecting resource information from one or more resources located at other than the first network node; and
 means for providing over the network from the extensible resource interface to a particular one of the client devices a customized user interface for a particular one of the resources, the customized user interface based on the resource information and on user preferences associated with the particular one of the client devices, the customized user interface further displayable by the particular one of the client devices.” (emphasis added)

Claim 52 recites a network topology in which an extensible resource interface is located at a first network node, a plurality of client devices are each located at one of a plurality of second network nodes different from the first network node, and resources from which the extensible resource interface (via its collecting means) collects resource information are located at other than the first network node. Such a topology is illustrated in Fig. 2, reproduced heretofore, for extensible resource interface 150, client devices 130, and resources 140,133,134.

In the Examiner’s Answer, the Examiner contends that “the server (extensible resource) collects status information of the peripheral device(s) (resources) (either device [16] or [15] of figure 1) (see column 2, lines 38-41)”, and that the Sanchez reference further teaches “[p]roviding (by the server) for display on the client device (located at a different node in the LAN) the graphical image based on options of the peripheral device(s) (resource) and options of the client device” (Examiner’s Answer, p.19). For similar reasons as discussed heretofore with reference to claim 31, Appellants respectfully disagree. Until the printer/facsimile driver of the Sanchez reference is executed by a processor at one of the nodes of the network, it performs none of the recited functions. There is no teaching that the printer/facsimile driver is ever executed on the networked file server of the Sanchez

reference, as the Examiner contends. The Sanchez reference teaches nothing more than that the networked file server provides the bits of the printer/facsimile driver file to the computing equipment 11. It is the computing equipment 11 on which the printer/facsimile driver is executed, in the manner explained in the Sanchez reference with regard to Fig. 4 and discussed heretofore with reference to claim 31. Claim 52 is therefore not anticipated by the Sanchez reference in that the extensible resource interface is located at the same network node as a client device; i.e. the extensible resource interface is located at computing equipment 11.

Accordingly, the Sanchez reference does not disclose all the elements and limitations recited in Appellants' claim 52, or in its dependent claim 53, in as complete detail as contained in the claims and arranged as required by the claims. Therefore, the rejection is improper at least for this reason and should be withdrawn.

II. CONCLUSION

Appellants respectfully contend that claims 31-53 were improperly rejected because the applied reference does not disclose all of Appellants' claim elements and limitations. This distinguishes Appellants' claims from the cited reference and makes Appellants' claims not anticipated by the cited reference.

Overruling of the Examiner's rejections of claims 31-53 is respectfully requested.



**AUTHORIZATION TO PAY AND PETITION
FOR THE ACCEPTANCE OF ANY NECESSARY FEES**

If any charges or fees must be paid in connection with the foregoing communication (including but not limited to the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment, may be respectively paid out of, or into, the Deposit Account No. 08-2025 of Hewlett-Packard Company. If any such payment also requires Petition or Extension Request, please construe this authorization to pay as the necessary Petition or Request which is required to accompany the payment.

Respectfully submitted,

Robert C. Sismilich
Reg. No. 41,314
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Date:

6/30/06

Hewlett-Packard Company
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